

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Present Application:**

Applicants : William A. Horne  
Title : **HUMAN BAD POLYPEPTIDES, ENCODING NUCLEIC ACIDS  
AND METHODS OF USE**  
Docket No. : 480140.428D3  
Date : August 3, 2001

**Prior Application:**

Examiner : Thaian N. Ton  
Art Unit : 1632  
Application No. : 09/376,154

Box Patent Application  
Commissioner for Patents  
Washington, DC 20231

**PRELIMINARY AMENDMENT**

Commissioner for Patents:

Please amend the above-identified application as follows:

**In the Specification:**

Amend the specification by inserting a new section before the "Technical Field" as follows:

**-- CROSS-REFERENCE TO RELATED APPLICATIONS**

This application is a divisional of U.S. Application No. 09/376,154, filed August 17, 1999, which application is a divisional of U.S. Application No. 08/717,123, filed September 20, 1996, which issued as U.S. Patent No. 5,965,703 on October 12, 1999.--

0992279-080301  
T06080"0422660

In the Specification:

Please insert the enclosed Sequence Listing immediately after the section of the specification entitled "Abstract of the Invention" on page 40.

In the Claims:

Please cancel claims 1-29 and add the following claims:

30. A method of screening for a compound that interferes with the association of a human Bad interacting polypeptide with human Bad, said human Bad comprising an isolated human Bad polypeptide encoded by a nucleic acid molecule comprising the nucleotide sequence shown in SEQ ID NO:1 or a nucleotide sequence that has greater than 85% nucleotide identity to the nucleotide sequence shown in SEQ ID NO:1 wherein said screening comprises contacting human Bad, or a human Bad derived fragment which retains the ability to interact with a human Bad interacting polypeptide, in the presence of an interacting polypeptide with a sample suspected of containing a compound capable of interfering with the human Bad polypeptide association and determining the interaction between human Bad and human Bad interacting polypeptide thereby screening for a compound which interferes with the association of a human Bad interacting polypeptide with human Bad.

31. The method of claim 30, wherein said interaction is a binding interaction.

32. The method of claim 30, wherein said human Bad interacting polypeptide comprises Bcl-X<sub>L</sub>.

33. The method of claim 30, wherein said human Bad interacting polypeptide comprises Bcl-2.

34. The method of claim 30, wherein said Bad fragment is a Bcl-X<sub>L</sub> binding domain.

35. The method of claim 30, wherein said Bad fragment comprises a fragment of no greater than 95 contiguous amino acids of the 3' end of SEQ ID NO:2, wherein the fragment binds Bcl-X<sub>L</sub> or Bcl-2 and wherein the fragment contains at least one amino acid that differs when aligned with SEQ ID NO:3.

36. The method of claim 31, wherein said binding is determined by the detection of a reporter gene.

37. The method of claim 31, wherein said binding is determined by an enzyme linked immunosorbant assay (ELISA).

REMARKS

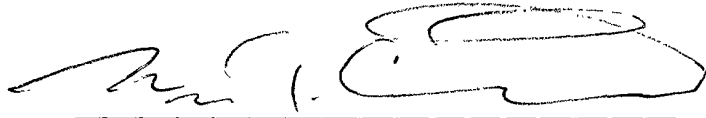
Claims 1-29 have been cancelled. Claims 30-37 have been added. These newly added claims correspond to Group IV (claims 16-21) of the Restriction Requirement of July 21, 1997 for U.S. Application No. 08/717,123, which the present application claims priority to.

Please find enclosed an electronic and paper copy of the Sequence Listing that include no new matter that goes beyond the application as originally filed.

Applicants respectfully request consideration of the newly added claims. If the Examiner has any questions, he is encouraged to contact the undersigned at 206-622-4900.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



William T. Christiansen, Ph.D.  
Registration No. 44,614

WTC:rap

Enclosures:

Paper Copy of Sequence Listing  
Declaration Regarding Sequence Listing  
Computer Diskette

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031